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## COMMUNICATIONS.

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### COMPULSORY VOTING IN BELGIUM.

With the institution of the plural vote and the compulsory vote, established in 1893, and of proportional representation, adopted in 1899, the system of a practically universal suffrage as applied in the little kingdom of Belgium has reached a standard of intelligent organization as yet unequalled in any other country. The principles of the whole organization which is more intricate in its appearance than in reality, the operation of the system and its justification alike from a theoretical point of view and from its practical results are fully discussed in the very learned, concise and clear study recently published by Professor LÉON DUPRIEZ.<sup>1</sup>

The plural vote, which gives supplementary voting power to the better qualified members of the community, such as the heads of families, landowners, government bondholders and people of education, was adopted contemporaneously with a constitutional revision which had for its principal object a more than ten-fold extension of the franchise which would make the suffrage nearly if not quite universal. The danger attending the latter change was that the more responsible and sounder classes of the community, irrespective of social standing, might be swamped, electorally at least, by the sudden rush of radical, socialist, and collectivist voters, especially in the thickly populated industrial areas and in the large cities of the country. Plural voting was thus intended as a careful counterpoise, and not as a check to democratic reforms; and statistics show clearly that it has worked as a balancing-pole or ballast to public opinion, not to impede its progress, but to steady its movements and make them less hazardous, less fitful and less dangerous to the welfare of the country.

Proportional representation was voted several years later, after a long and painful struggle against various sections of opinion. Some opposed it as they had opposed universal suffrage and plural voting, because they distrusted all political novelties. Others opposed it because they felt that an equitable distribution of political power amongst parties would inevitably lessen their power or do away altogether with seats traditionally held by themselves or by their friends in particular constituencies. The reform, however, went through,

<sup>1</sup> *L'organisation du Suffrage Universel en Belgique; Vote Plural; Vote Obligatoire; Représentation Proportionnelle.* By LÉON DUPRIEZ, Professor at the University of Louvain. Pp. 260. Price, 3.50 francs. Paris: Larose, 1901.

and, so far as a first experiment enables one to judge of its effects, it is undoubtedly a success; it has strengthened the party organization, it has greatly diminished the bitterness of political campaigns and it has raised the parliamentary standard. Together with the plural vote, proportional representation may be taken as the crowning feature in the organization of a very democratic franchise, and the political and social condition of Belgium rendered the adoption of these advanced reforms as imperative as they have proved beneficial. Not so, however, with countries in a different stage of political development. The plural vote would certainly be looked upon as a step backwards wherever the franchise has already been made general, and a proposal to establish it would surely be opposed as giving unjustifiable privilege to some classes of voters. Proportional representation on the other hand, is not an urgent need in countries where public opinion is almost evenly divided between two great parties who come into power alternately, nor in countries where the theory generally prevails that to the victor belong the spoils and that the defeated party has no right to complain because it is left out in the cold, waiting for its turn to break into the house triumphantly, while the others revel inside.

But the compulsory vote appears to the student of political science as the *alpha* of electoral organization. The greatest evil in a democracy is the indifference of its best people towards public business, and the worst form of that indifference is electoral abstention, because it leaves the government of the country and the power of the legislature completely in the hands of the professional politician and his disreputable supporters. Now it is a fact that unless the quieter people are made to vote, by some artificial machinery, it is very hard to bring them to the polls in the necessary large numbers, even where party organization is strong and when a vital question is at stake. Statistics show that in countries such as England, the United States, Belgium and Switzerland, where the natural organization of political life is far ahead of the rest of the world, abstentions still range from 14 to 30 or 40 per cent of the electoral body. Before 1893 in Belgium 16 per cent of the voters used to stay away, notwithstanding the exertions of the party leaders. After the adoption of the compulsory vote the average rate of abstention fell suddenly to between 4 and 5 per cent and it is sure to decrease still more owing to the increased chance of success that proportional representation gives to all parties interested in the political struggle. This small rate of abstention does not even represent the real number of voters who might have voted and did not attend the polls. This is because, first, a certain percentage of voters on the register are dead when the elections come round, and

second, some more are prevented from attending through illness, age or absence from the country. The records of the police courts, where the cases of non-attendance are tried, show that out of a total of 1,058,165 voters called to the polls in 1898, 5,551 failed to attend without giving previous notice of the reason to the courts and were prosecuted; 2,621 of these, however, were excused by the magistrate on legal grounds such as illness, age or absence. This leaves 2,930 who were fined, which represents a rate of unexcusable or guilty abstention of not quite 3 per cent of the electoral body, or exactly 2.76 out of every thousand. How was this wonderful success achieved?

The theoretical question whether the suffrage may be rendered compulsory by statute would scarcely have been raised in parliament, but for the personal antagonism of a few prominent members to the then prime minister and head of the conservative party, Mr. Burnaert. This difficulty, however, was easily put aside, since the franchise has generally ceased to be looked upon purely as a right which a citizen is at liberty to make use of or to neglect, and is on the contrary regarded as a civic duty, which he is bound to perform scrupulously in the interests of the community for which every citizen is a trustee in a general way.

The main objection of most political thinkers to the compulsory vote is the practical difficulty of enforcing the obligation efficiently. Obviously public opinion would not brook severe penalties such as a heavy fine or a term of imprisonment for an infringement of duty slight in itself and which becomes prejudicial only when it becomes customary and involves a large section of the electoral body. And if the penalty is but light, who will be afraid to incur it, if one derives more profit from attending to one's business or one's pleasure than from voting? The answer to the problem was found in a particular kind of penalties at once light but such as are not risked lightly by responsible citizens, ranging from a mere warning in the case of first offenders, to a small fine of 25 francs and the suspension of political rights for a period of ten years in the case of obdurate offenders. This suspension precludes the offender from being, during that term, a candidate for any office or promotion whatsoever in the public service, and from public honors and deprives him of his franchise for the same time. To some it looked ridiculous to punish a man by taking from him a right precisely because he did not care to exercise it. But it is one thing to wilfully neglect a privilege under certain uninteresting circumstances, and another to be deprived of it altogether for ten years. The facts, as shown by statistics, fully bore out the soundness of the confidence which the framers of the revised constitution of 1893 had put in the compulsory vote. Its immediate success might perhaps not be

quite so great in some other countries, because, as we know, abstentions were never very common in Belgium, owing to the keenness of political struggles, the organization of parties and the high standard of political education of the people. But, there is every reason to think that, everywhere the obligation would breed the custom of attendance and that this in turn would awaken a new interest in political campaigns. If democracy is to redeem its magnificent pledges to the people, as we fondly hope, it can only do so by the co-operation of the more honest, the more responsible, in a word, the better citizens of the country, and this must be secured at any cost, either voluntarily by education—and history shows that mere education, example and persuasion are not always a match for the scheming professional politicians and the machine bosses—or by the compulsory vote.

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#### THE IMPORTATION OF DEPENDENT CHILDREN.

In recent years there has been a growing hostility toward the practice which has long prevailed of sending dependent children outside the borders of the state in which they become dependent to place them in foster homes. This sentiment is rapidly crystallizing in laws either forbidding the practice or restricting it. The following study was made in the hope of getting at the facts in the case and in the further hope that some of the principles which should apply might appear. To this end letters were sent to persons throughout the states involved who were in positions to know local conditions and local sentiment.

The legislation now in existence, so far as can be learned, is as follows:

In 1895 Michigan (Act No. 33, Public Acts, 1895; App. Mar. 26, 1895) passed a law requiring all associations or individuals wishing to place a child from without the state in a home within the state to file a bond of \$1,000, before the judge of probate of the county in which the child is to be placed; that such child shall not become a town, county or state charge before it shall have reached the age of twenty-one. In case the child becomes dependent the bond is forfeited and placed in the general fund of the state treasurer. "Any person who shall take such child indentured, apprenticed, adopted or otherwise disposed of, to him or her, except in the manner herein provided, shall be deemed guilty of a misdemeanor."

Minnesota in 1899 (Chapter 138—S. F., No. 244, App. Apr. 17, 1899) required associations bringing in children to file an indemnity bond